

FOR MYSORE STATE

Pe (195 ~~4~~) Department.

G.O. NO. 2625

Dated 23.9.1952

From
The General Secretary,
District Congress Committee,
South Kanara District,
Mangalore.

To
The Hon'ble Sri H. Sitarama Reddi, B.A.B.L., M.L.A.,
Minister for Land Revenue,
Fort St. George.

Dear Sir,

Sub: Assignment of land to political sufferers
in South Kanara District.

I beg to state that out of about 800 applications of political sufferers in the district of South Kanara for assignment of land, so far land has been assigned to 200 applicants only, of whom about 50 persons have actually got the land. The chief difficulty in the way of assignment, ^{apart from} is the unsympathetic and unhelpful attitude of most of the subordinate officials of the Revenue Department ^{is} and the scarcity of available and cultivable land. This has naturally created wide-spread dissatisfaction among the political sufferers of the district. Some way must be devised to get this over and expedite the whole matter within a fixed date, say for instance, end of December 1950.

2 I beg to submit that the Collector be informed to take special and personal interest in the matter of assignment and he on his part made to instruct all his subordinates to take up a sympathetic and helpful attitude towards the sufferers.

3 As South Kanara is a district of small rivers and rivulets, ^{and} there are small areas of river accretions which have been formed by deposit of silt and which have been there for more than 50 years. Some of such lands have already been permanently assigned to certain landholders. Only recently they have been prohibited from being permanently assigned to anybody except perhaps to Harijans and ex-soldiers. Most of these lands are now being cultivated on temporary lease by rich and influential land-lords and some people

Call for the B.L.O. remarks
on this & why not give on
lease for a period of 10 years
the revenue auctioneers referred to
have to take may half, some

v of the political sufferers.

Meanwhile the collector
may expedite the work.

— 1/50
7/8/50

have simply encroached upon them probably with the connivance and help of ^{some of} the revenue officials also. The District Congress Committee as well as the District Advisory Committee are of the opinion that such river accretions which have been there since decades and which may not be objected to by the Irrigation branch of the P.W.D., be assigned to the political sufferers. This will go a long way to solve the problem of scarcity of cultivable land. I request the Hon'ble Minister for Revenue to take such speedy measures as may be possible to make such assignments possible. I, however, wish to say that if any such land is being enjoyed by the poor, exceptions may be made.

4. The question of assignment of Kottari Kudru in Harekal village, Mangalore Taluk and Adumbu Kudru of Jeppinamogru village, Mangalore Taluk, has been hanging fire since about two years now. The papers concerning the same have been sent to the Board of Revenue. I request the Hon'ble Minister for Revenue to take up the question of the assignment of these Kudrus immediately. The P.W.D. (Irrigation) have already inspected these lands and have opined that there is no objection for their being assigned.

5. I would like to bring to your kind notice another matter. Some political sufferers have formed into co-operative societies but are not in a position to work them out due to the difficulties of the existing rules and by-laws. I request that steps be taken to see that these rules and by-laws are adjusted so that it is made possible for the political sufferers conveniently to organise themselves into co-operative societies and work them.

Yours sincerely,

K.K. Shetty

Camp: Madras, |
5th August 1950 |

Very urgent.

Memo. no. 3519-N/50-2d/19.12.50.

Sub Land - South Kanara St. - River
accretions - Grant to political
bidders

Ref Representation from the General
Secretary, South Kanara St. Congress
Committee, d/5-8-50.

for information

An extract from the representation
cited is forwarded to the S. E., South
Kanara, for very urgent remarks through
the C.E. (I).

despatched
15/12/50
19.12.50

19.12.50

to the S.E., South Kanara
Copy to the C.E. (I)

with
extract of
para 3 & 4.

A. 22
9.1.51

Pt. come at once
from

8/11/51
12-10 P.M.

Memo No 87918F/50-1 D-9/1/51

Land. (South Kanara) - Mangalore taluk,
Harekala and Tappina mogru villages,
Kottari Kundu and Adumbur Kundu -
Grant to political officers

From the Secy, Dec. South Kanara petition
A 578/50.

A copy of the petition quoted
above is sent to the Bd of Rev for
urgent remarks on the request contained
in para 4 of the petition.

To the Bd of Rev (L.R.)
with copy of A 1-24 + 25/1/50.

BT
ppd.
9.1.51

27.12.50

By Secy
31.51 4.1.51

REVENUE DEPARTMENT.

SUBJECT.

Assignment--Land--Grent to Political sufferers--(South Kanara)
Mangalore taluk--Harakala and Tappina Mogur villages--Report
submitted.

L.Dis.b.198/51 dated 10-2-1951

From

Sri A.F.Mascarenhas, I.A.S.
Secretary, Board of Revenue.

Sri W.R.S.Sattianathan, I.C.S.
Commissioner of Land Revenue.

Read: Government Memo No.87918 F/50-1 Revenue dated 9-1-51
From the Collector of South Kanara L.Dis.2537/51 dated
30-1-1951

Submitted to the Government with reference to
their Memo cited above.

For Secretary.

To The Secretary to Government Revenue Department.
RR.

Copy of L.Dis.No.2537/51 of the Collector of South Kanara dated
30-1-1951

Ref: Bd's Ref.B.198/51-1 dated 23-1-1951

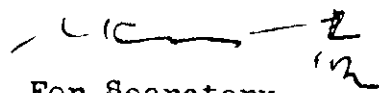
My remarks have been called for on the several points raised in the petition submitted by the General Secretary Dt. Congress Committee Mangalore on 5-8-50. Many applications from political sufferers have been disposed since that date. Out of 922 petitions received from the political sufferers so far, only 60 applications which were admitted very recently are pending enquiry and disposal. There has been no avoidable delay on the part of this office or the subordinate officers in the disposal of these applications.

1. The Secretary of the Dt. Congress Committee desires free assignment of river accretion lands. I invite Board's attention in this connection to instructions issued in para 1 of its Ref.B.3164/48-14 dated 16-10-48. River accretions are not to be assigned to political sufferers but should be disposed of only according to the instructions contained in the B.S.O. There are no special grounds for deviating from these instructions

3. The Secretary of the Dt. Congress Committee is anxious that the river accretion lands comprised as Kottari Kuduru and Acandru Kuduru Kuduru means an island-situated in the villages of Jeppinamogaru Harekala etc. should be assigned to the political sufferers. He himself is one of the applicant for a portion of land in Kottari Kuduru. The Government have already ordered that these accretions in the river should only be leased and that to the present encroachers on an annual basis for a period of three years subject to the usual conditions imposed by the P.W. department. It has also been ordered that the question of further leasing them should also be taken up later on. Please see G.O.Ms.1807 Revenue Department dated 22-6-50 communicated with B.P.Mis.846 dated 4-7-50 and G.O.Ms.3138 R-v dept. dated 7-12-50 communicated with Bd's Ref.B.485/50. The accretions referred to by the Secretary Dt. Congress Committee are thus not available for assignment to political sufferers and he has already been informed accordingly from this office with a request that he may select lands elsewhere.

4. Regarding the points raised in para 5 of the petition no action appears necessary as only one block in the district

has so far been assigned to the political sufferers on
cooperation basis and in this case no difficulty has
been experienced regarding its assignment.
/true copy/


For Secretary.

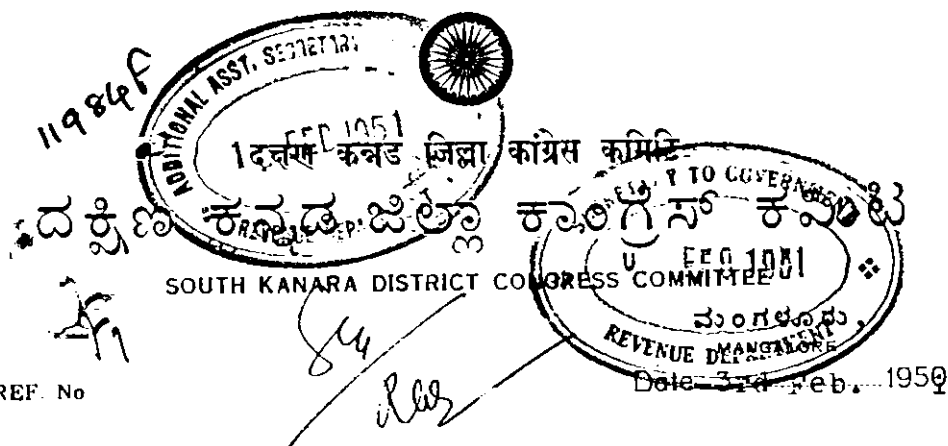
REF. No

W. Sri K. Seetharama Reddy,
Minister for Revenue and Industries,
Madras.

Sir,

B | You may remember that some months back
I/s N.S. Kille, Kaidel Thimmappa Shetty, B.
Anantha Rai and myself waited on a deputation
to you with Bri U.P. Mallaya, M.L.A., and
submitted a petition requesting you to
permit the assignment of River Accretions
to political sufferers in South Kanara.
After discussing the matter with us you
informed us that you would issue an order
to assign lease River accretions in South
Kanara specially to political sufferers for
10 years for the present. We had also
mentioned in that petition about the assign-
ment of Kottari Kudru and Adumbu Kudru in
Harekal, Kannur and Amblamogru villages of
Mangalore Taluk. You were kind enough to
assure us that even these lands would be
granted to the applicants on 10 year lease.

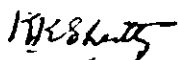
The Collector has not yet received
any order from you regarding leasing out
River Accretions to political sufferers in
South Kanara. Regarding Kottari Kudru
the applicants have been informed that it
would not be leased out to them. On the



other hand, it would be leased out to the present encroachers including Mrs. Anny Aranha who only very recently applied for the land at the instigation of the encroachers of Kottari Kudru. This lady who is influential was able to manipulate and get the land leased out to her and her supporters. She had applied very much later to the land than the political sufferers and she was able to get it while the political sufferers have been refused.

We are not particular about getting land at all. But, I would urge upon you to enquire into this scandal as to how this manipulation could take place behind your back. I take serious view of the matter because the question of assignment of this land to political sufferers was made much of by some of the enemies of the Congress and Mrs. Anny Aranha was openly saying that she would see that Kottari Kudru was not assigned to Political sufferers. She has succeeded. On the other hand, our deputation and representation to our own Minister have proved of no avail. This is how the political sufferers are helped! This is why Congress is losing support even from its own loyal workers.

Yours faithfully,



KKS/BR

General Secretary.
DISTRICT CONGRESS COMMITTEE
MANGALORE

J.O.S

Please see the letter from the
Secy, D.C.C. South Kanana on pp 1-2 ante. The
petition referred to at 'x' on p1 ante has
been examined and ~~is being put up~~ ^{submitted by D.S. on 20.2.51}
~~separately~~. This will be added to that file
and noted on the return of the ^{man} file.

file no:

879/81/50
408

26/4/51

h
20.2.51

3M
26/2/51

Cms 27219

10

Pl. is not return.
E. As
11.4.57.

12/4/57. / 5

S.P. No 27219 A/51-1. 8.10.4.57.
Land - (South Kanara) - River accretion
Lease of
From the Collr of S. Kanara Lds
No 2537/51 d 30.1.57

The Collr of S. Kanara is
requested to furnish a copy of the
conditions governing the lease of
river accretions granted to the
encroachers including Mrs Army Ara
(5) in G.O. No 3136 Gen d 7.12.50.

Collr of
S. Kanara
Dpd
14.4.57

By
Lousi



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जिल्हा काँग्रेस कमिटी

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764 h
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SOUTH KANARA DISTRICT CONGRESS COMMITTEE

REVENUE DEPARTMENT

ಮಂಗಳೂರು,
MANGALORE

REF. No. 135/51.

Date 3rd April 1950.

Hon. Sri H. Seetharama Reddi,
Minister for Land Revenue,
Madras.

84
Raz.

Sir,

In main file
See to file

We made representation to you when we had been to Madras in the month of July last that river accretions which have been on the side or in the middle of the rivers in our District since a long time and which have been mostly encroached upon by the landholders nearby, may be assigned to political sufferers, so that the question of assignment of cultivable land to some of the political sufferers may be easily solved. You promised to issue an order to lease out such lands specially to political sufferers for 10 years. We agreed to it. But, I regret very much that no order has been passed upto now. If you do not kindly take up this question personally and leave it to the Revenue Board or the Secretariat, I don't think there is any prospect of getting this land even for lease. So, I request you to kindly take up the question personally and issue orders without any further delay.

I also very much regret to bring to your kind notice that the two river accre-

tions about which special mention was made in our memorandum, viz., Kottari Kudru in the villages of Harekal, Kannur and Ambalamogru of Mangalore Taluk and also Adombukudru of Mangalore Taluk, for which M/s.B. Anantha Rai, T.M.Pakkala, K.Thimmappa Shetty, myself and some others had applied and which you promised to grant us on lease for 10 years, have now been ordered to be given on lease to the original encroachers and also to a new applicant Mrs.Annie Aranha who had applied after about a year of our application for the land. She is a rich landlady who is a resident of Mangalore with whose help, I think, the encroachers of Kottari Kudru, who are all of her community, have been able to get the above order passed. I may be permitted here to bring to your kind notice that Mrs.Annie Aranha is closely related to Mr.Mascarenhas who is one of the Secretaries in the Revenue Department *Hand*

ra I am enclosing herein a copy of the order received by me from the Collector's Office for your kind perusal and I request you again to look into the matter personally and issue necessary order in the matter at your earliest convenience. I am very much put out about this because the advantage of the concession which you wanted to show specially to the political sufferers was ~~received~~ ^{being} by the people who have been carrying on a malicious and poisonous propaganda

against the Congress and against us individually also, by paying to certain papers here. These encroachers are rich landholders who are even to-day alleged to be carrying on trade in illicit liquor. If they had made some improvements in the land, they have got since about 20 years much benefit out of it. They have been openly throwing challenges to us since about two years now and they have succeeded at last in getting the land for themselves under our very nose. It seems arrangements are being made now to lease out the land to them. You can very well realise our feeling in the matter. That is why we insist on getting this land and I hope you will kindly issue order immediately.

Thanking you,

Yours faithfully,

Encl: 1.
KKS/BR.

K.K. Shetty
General Secretary,

P. S. The above encroachers had already got by darkhast 10 acres of land in the same Kottari Kudem in which they had built a tiled house. If it could be given by darkhast to them I don't know why it ~~should not~~ the land ~~needing~~ it should not be given to political ~~benefit~~ *benefit*

Proceedings of the Collector of South Kanara.

SRI A.R. RAJAMAT AM, D.A.

D.Dis.P.S.R.I.468 dated 24.1.51.

LAND: Mangalore taluk- Harekal Kannur and Amblamogar villages-
Kottari Kudru assignment of reversion- petitions- orders passed.
Read: Application from Messrs K.K.Shetty, Branantha Rai, T.M.
Pakala and H.S.Kille dated 19.5.48 from grant of portion of land in
Kottari Kudru c/o K.K.Shetty General Secretary ~~Representative~~ cccco
District congress committee Mangalore.

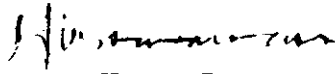
2.Application dated 20.9.48 from Sri V. Narasimha Reddy n/o
Dr.K. Vittal Shetty Harekal village Mangalore.

3.Application dated 14.9.48 from Sri D. Raghava Shetty son of
H. Ramanna Shetty Harekal village Mangalore.

4.G.O.No.Ms.3136 Revenue department dated 7.12.50.

As the Government have directed that the river accretion
in Kottari Kudru is the villages of Harekal Kannur and Amblamogar
of Mangalore taluk should be leased out only to the present
encroachers including Mrs Anny Aranha ~~encroachers~~ the petitioners are
informed that no portion of this land is available for assignment
to political sufferers. They are therefore requested to select
lands else where and apply afresh.

/By order/



District Collector.

To all the petitioners; copy to the Tahsildar Mangalore; Revenue
Divisional Officer Mangalore; Dt.Congress Committee S.K. Kanara; DS.
IC/27.1.51.

(313)

8 15 Rev Dec 10

To AS.

Please see the letter from LHS
Gt Secy, Dec, South America on pp 1-3 and
2. The main file on the subject
has been sent to LWS on 13.4.57. This may
be added to it on its return.

6/4/57.

17 Dec 57

NAL ASST. SECRETARY T. GOVERNMENT



A

दक्षिण कन्नड जिल्ला काँग्रेस कमिटी

ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲಾ ಕಾಂಗ್ರೆಸ್ ಕಮಿಟಿ

SOUTH KANARA DISTRICT CONGRESS COMMITTEE

EF. No. 163/51.

ಮಂಗಳೂರು,
MANGALORE
Date 29th May 1950.

Hon. Sri S. [redacted] Reddi,
Minister [redacted],
Government of Madras,
Madras.

Dear friend,

2 JUN 1951

I returned to Mangalore on the 27th inst. From Delhi I went to Fohll to attend the meeting of the K.P.C.C. I received a reply to my letter to you dated 25-4-51 from the Deputy Secretary, Revenue Dept. by which I think I will not be wrong if I cherish some hope of an interim legislation very soon regarding the Chalgeni tenants of the District.

Your order regarding the lease of River Accretions in South Kanara to political sufferers for 10 years is not yet received. Nearly 100 political sufferers are very much handicapped on account of it. Therefore I request you to issue the order at your earliest convenience. There may be difficulties for actually assigning River Accretions; but there can be no difficulty at all for leasing them out to political sufferers. Therefore kindly call for the papers concerned immediately and issue the order.

Thanking you

is sincerely,

KKS Shetty

KKS/RR

General Secretary,

~~MARGA 002~~

From

Sri.A.R.Rajaratnam, B.A.,
Collector of South Kanara, Mangalore.

To

The Secretary to the Board of Revenue,
Land Revenue, Cherpauk,
M a d r a s - 5.

Sir,

Kanara) - Mangalore Taluk - Harekala,
Kannur and Amblamogar villages - River accretions -
Disposal by lease- proposals.

Ref: 1. G.O.Ms.No.3136 Revenue Department dated 7-12-50,
2. Government Memo No. 27219-A/51 dated 10- 4- 1951,
3. B.P. Mis. 1489/26-12- 1950.

In the proceedings dated 7-12- 1950 cited above the Government have ordered that the river accretions in the villages of Harekala, Kannur, and Amblamogar of Mangalore Taluk may be leased out to the encroachers concerned including Mrs. Amy Aranha for a period of three years at a time and that the rentals due on them may be fixed by the Collector on the basis of their market value subject to Board's approval.

2. I accordingly submit for Board's reference and return the records of enquiry, pages 21 to 106 of my office current file B.5. 10886/51 which contains a list of such encroachments which are proposed to be leased out to the encroachers concerned. These encroachments are 31 in all as shown below:

<u>Name of village.</u>	<u>Nature of improvements.</u>	<u>No. of plots.</u>
Harekal	Under paddy crop.	12 plots.
Kannur	-Do.	5 plots.
Amblamogar	-do-	2 plots.
Harekala	Under tree plantation	4 plots.
Kannur	-do-	2 plots.

Total 31 plots

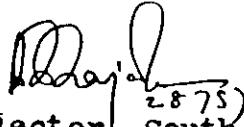
3. These plots were not leased out hitherto. They are all river accretions and specially valuable lands reclaimed at the cost of the encroachers. The occupations in them were hitherto charged at the appropriate rates in village Accounts Nos. 2 and 7. All the encroachers except Mrs. Amy Aranha and Monthy Marian D'Souza in respect of his three plots in Kannur village and one plot in Harekala village under cashew and casuriam plants, desire that the lands may be leased out to them for agricultural purposes. There is no objection to their being leased out to them under B.S.O. 15 A for a period of 3 years, as ordered by the Government. A rent of Rs.25/- a year for those plots now under paddy or fit for being raised with wet or commercial crops seems reasonable. I recommend that these plots under paddy or commercial crop or which are fit for being raised with such crops may be ordered to be leased out to the encroachers concerned for a period of three years on an annual rental of Rs.25/- an acre.

and cashew plants no separate rates of rent appears called for. They may also be allowed to be leased under B.S.O. 15 A for a period of 3 years but subject to the payment of rental at the highest dry rate of the village. Mrs. Amy Aranha applies for the lease of her portions under B.S.O. 19 B. As these lands are specially valuable ones and are river accretions I do not recommend her request for the lease of the lands under B.S.O. 19 B.

5. I invite Board's attention in this connection to G.O.Ms. 2438, Rev. dated 15-9-1949 communicated with B.P.Ms. 1105/49 dated 4-10-1949 which deals with remission of assessment and water-cess for casurina plantations. In the case of Amy Aranha, the planting of casurina on river accretions would not be encouraged by grant of further concessions as remission. I have, therefore, recommended the levy of full assessment at the highest dry rate.

6. Under para 7 of B.S.O. 15 A the levy of assessment and water-cess on lands granted under lease under that para has been explained. It is stated that if the land is an assessed land (unlike as in this case- these cases being portions of river poramboke), the annual charge for occupations shall be the assessment, fixed already. If it is not an assessed land as in this case, it shall bear the same as assessment as is borne by similar land in the vicinity. In this case, however, there are no Government lands in the vicinity which have been leased out in the past. I consider that a rent of Rs.25/- per acre per year for lands under paddy and commercial crops and the highest dry rate of assessment for other lands will be reasonable.

7. The conditions of the lease would be only those specified under B.S.O.15 A. One year's advance rental will also be collected from the lessees concerned before the grant of the lease as ordered in Board's L.Dis.B.4258/51 dated 10-7-1951. A copy of the said conditions governing these grants under B.S.O. 15 A is enclosed for favour of information.


Collector, South Kanara.

Copy submitted to the Secretary to Government, Revenue Department, Fort St. George, Madras - 9 with a copy of the conditions of the lease under B.S.O. No.15 -A. for favour of information. Only these conditions will be imposed in all these cases including that of Mrs. Amy Aranha.

Rev. Dep.

To A.S.

The report from the Collector ~~South~~ S. Kanara above may be perused. This is only an advance copy of the report subd. to the Board. The report from the Board may be awaited till 21.8.51


31.7.51.

FORM OF ORDER OF GRANT OF STATE LAND FOR TEMPORARY OCCUPATION FOR AGRICULTURAL PURPOSES.

The land specified in the schedule is hereby granted to (name and address of the grantee)
for temporary occupation for a period of _____
years commencing from _____ (date, month and year) subject
to the following conditions to which the aforesaid grantee has agreed :—

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to representation of fraud or in excess of the limits of authority delegated by B.S.O. No. 15-A to the officer who made the grant or that there was an irregularity in procedure. Cancellation on any of these grounds may be made by any authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall pay the sum of Rs. _____ as and for security for the fulfilment and observance by him of the conditions contained in the grant. The sum so deposited shall be liable to be forfeited to the Crown under the orders of the Collector in the event of failure by the grantee to fulfil and observe any of the conditions of the grant.

(4) The grantee shall, so long as the grant be in force, pay clear of all deductions a sum of Rs. _____ per annum for credit to the general revenues of the Province and a further sum of Rs. _____ on account of rates, taxes, assessments and outgoings payable by the Government to a municipality as a result of this occupation of the land. The consolidated charge shall be payable to the Government in advance annually, the first of such payments to be made on the _____ day of _____ and the subsequent annual payments on the corresponding day of the succeeding years.

(5) In the event of the municipality varying its demand, the assigning authority shall be at liberty to revise, without notice, the second part of the charge referred to in condition (4) as the sum payable by the grantee on account of taxation by the municipality and on such revision any balance due shall become immediately payable by the grantee.

NOTE.—In the case of lands in non-municipal areas, conditions (4) and (5) should be replaced by the following condition :—

“The grantee shall so long as the grant be in force pay in advance to the Government annually a sum of Rs. _____ clear of all deductions, the first of such payments to be made on the _____ day of _____ and the subsequent annual payments on the corresponding day of the succeeding years.”

(6) If the grantee shall fail to pay to the Government any sums payable under the grant on the respective dates on which they are made payable, he shall pay interest at 12 per cent per annum on such amounts from the dates on which they were so payable until the date of payment or recovery.

(7) The grantee shall not use the land or suffer it to be used except for the purpose for which it is granted.

(8) The land shall not be used for political meetings.

(9) The grantee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the lands aforesaid to view the condition and state thereof.

(10) The grantee shall not assign or underlet the benefits arising under this grant or any part thereof without the previous written permission of the assigning authority.

(11) (a) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of the grant (which are described in the schedule attached) as well as those which may grow subsequently on the lands granted and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The grantee shall not be entitled to cut or remove any trees which are to be cut or removed without the permission of the Collector of the district ;

(b) the grantee shall take all reasonable measures to the satisfaction of the Collector of the district or the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land ;

(c) the grantee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with ; and

(d) in the event of the infringement of or failure to observe, any of the conditions mentioned in (a), (b) or (c) above, the grantee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to cancel the grant and re-enter on the land and the whole land shall thereupon vest absolutely in the Government. In that case the grantee shall not be entitled to any compensation whatever.

NOTE.—When the lands are granted in the districts noted below, the conditions (a) to (d) above relating to the reservation of sandalwood trees should be scored out :—

(1) Chingleput.

(4) Cuddapah.

(7) Kistna.

(2) Godavari East and West.

(5) Guntur.

(8) Vizagapatam.

(3) Nellore.

(6) Tanjore.

(9) Malabar (excluding Wynad taluk).

(12) The grantee shall not erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority.

(13) The grantee shall not cut any live trees without the previous permission of the Collector. The withered and windfallen trees shall also be the property of the Government and shall be handed over to the village headman.

(14) The sale-proceeds of withered and windfallen trees and those cut under condition (13) shall be credited to the Government.

(15) The grantee shall have no rights whatsoever to any trees standing on the land or to their usufruct.

(16) The usufruct of the trees may be leased out in auction by the officers of the Government according to the practice obtaining in the district and the grantee shall allow the right of passage to persons to whom the usufruct of the trees is so granted by the Government.

(17) The grantee shall not without the previous written sanction of the assigning authority permit any person to use the land except as provided in condition (7):

(19) The grantees shall be answerable to the Government of Madras for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

and assume control or other

(22) The grant hereby given may be revoked by the assigning authority after giving months' notice in writing and by the Government or Board of Revenue without notice in an emergency (the

conditions. The grantee shall not in case of such revocation or termination be entitled to any compensation in respect of any improvements effected by the grantee to the land or for the loss caused by the introduction of any machinery or any other improvements in respect of any of the foregoing conditions.

(24) The sum of Rs. _____ deposited by the grantee under condition (3) or such portion thereof as _____ liberty to levy proportionate rental up to the date of such termination.

donors on the one part and the grantees as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of the grant or the construction or the meaning of all or any of the provisions herein contained the said disputes and differences shall be referred to arbitration.

belong to or usually held or enjoyed with it. The existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the

Schedule.

District.	Taluk.	Town or village.	Ward number and block number.	Survey number.	Area.		Boundaries.
(1)		(3)	(4)	(5)	(6)		(7)
					ACS.	CTS.	
							East.
							West.

In witness whereof I _____ (name and designation) acting for and on behalf
f and by the order and direction of His Excellency the Governor of Madras have hereunto set my hand this
day of _____ 19____

PLACE,

Date,

Signature and designation of the Assigning Authority.

25

requested not to grant the lease

Q
24/9/17

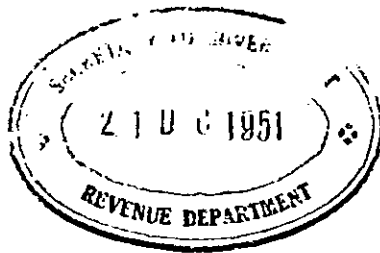
24/9/17 8
26.5.51

To the ~~Colony of South~~
Cameroon.

Copy to the ~~BSO~~
Rev. (L.R.)

To the ~~President~~
St. Congress
~~Congress~~
Committee.
Rangabai
South ...

and
4/10



A
Mangalore,

85028A.

To

The Hon'ble the Revenue Minister,
MADRAS.

See. Rev.

Humble petition of the Landless poor cultivators named as Encroachers of "Kottari Kuduru" in the villages of Harekala, Kannur and Amblamogaru of Mangalore Taluk, South Kanara District requesting stay of further proceedings ordered in Government Memorandum No. 27219/A/51-7 Revenue Department dated 29.9.1951.

(-Pg 5)
24 21/10/51

We, the undersigned landless poor said to be encroachers of river accretions known as 'Kottari Kuduru' in the villages of Harekala, Kannur and Amblamogaru --- villages of Mangalore Taluk, South Kanara District, are shocked to hear of the orders passed by the Government in their Memorandum No.27219/A/51-7, Revenue Department, dated 29-9-1951 directing the Collector of South Kanara that the river accretions, the lease of which were ordered in G.O. No.Ms. No.3136, Revenue, dated 7-12-1950 to us should be made available for leasing out to the political suffers²⁴ for a period of '10 years. This Government Memorandum has come to us as a bolt from the blue, and has chilled our hearts. We, therefore, approach your Honour to kindly order the stay of further proceedings pending detailed enquiry and local inspection of the plots concerned, on the following, among other grounds.

1. That about 40 years ago our ancestors purchased mere sand accretions patta lands measuring 8-71 acres in Government Auction in the island 'Kottari Kuduru' in the villages of Harekala, Kannur and Amblamogaru villages of

Mangalore Taluk on 23-6-1914 and paid site value for three acres thereafter making a total of 11-71 acres.

2. That our ancestors went on aiding nature in the process of enlarging this island by planting 'Heeli' fence using mud from distant places, investing huge money thereby rendering the sandy waste river accretion. We submit that the river was ordered to be leased to the political opponents of the years of toil and huge expenditure by our ancestors and by us. But for these improvements, the river accretions which are now ordered to be leased to the political sufferers would have still remained mere sand beds and should have even disappeared, if it were allowed to the free play of the water in the river. That this fact is evident from the existence of similar vast stretches of sand beds lying ~~in~~ in these villages subject to submersion under river water for 4 months in the year during the monsoon. The process of the so called encroachment effected by us is given in brief below:-

Months prior to the rainy season, our ancestors planted heeli plants far into the river in thick patches and the river accretions in the rainy season settled down between the banks and the portions of 'Heeli' grown till within a period of 5 to 6 years a substantial sand dune emerged in the place where formerly there was only water. On these sand dunes were planted 'Darba grass' which possess the peculiar property of gripping soil together and thus prevented the wash-out of the sand dunes. On these, boat-loads of mud from the neighbouring clay fields were dumped year after year till after 6 to 10 years fertile bit of land emerged out of the sand dunes. We, the

encroachers, boldly lay down before your Honour that this island is mainly man-made rather than favoured by the process of nature alone.

In the big floods of 1923 our patta lands of fertile fields were completely covered up by sand which was able to be cleared. So various kinds of tamarind, jack, cashew and casurina trees were grown. The growing young men tried to enlarge the land capital borrowed from private industry for improvement of land. The natural process of enlarging the island was aided by putting small bunds and Heel fence all round thus forming a broad belt around the original island by our ancestors and by us after years of labour coupled with heavy investments. We have been toiling all these years in this out of the way and uninhabited island, and now after three decades or more, if such of the lands improved upon by us at great cost and hard labour are denied us, we with one voice feel that the Government are doing us gross injustice driving us and our dependants to utter desperation and starvation.

These encroachments were first detected in Fasli 1354, the then recorded encroachment being 25-34 acres. Ever since, these encroachments were found unobjectionable both from the marine point of view by the Public Works Department and by the Officers of the Revenue Department. Assessment is being collected from us even to the present day as is evidenced by the fact that assessment is being charged in Village Accounts Nos. 2 and 7. In fasli 1357, a further extent of 14-74 acres of encroachment was detected bringing the total extent of encroachment measure 40-08 acres for fifteen heads of families.

That if the process of enlarging the river beds aiding nature is considered an encroachment, ignoring them as unobjectionable all these three decades, we submit that in the case of eviction, provision is made for the encroachers under the provisions of L.E. Act to remove their encroach-

the time allowed. In this event, we most

hat the question of making the lands avail-

the political sufferers does not

beds which have now been converted

years of labour and huge invest-

liable to be removed by us.

we are also shocked to hear that only the river accretions in only 3 villages of this District have ~~been~~ been ordered to be leased to political sufferers when there are similar encroachments of river accretions in several other villages of this district. That by the Government memo we feel that it is our misfortune to part with the lands improved upon by us at great cost when similar encroachments in several other villages of the district are allowed to enjoy the fruits of their labour by other encroachers.

That we have large families to maintain, that our children are landless poor, and under G.O. No.1523, Revenue, dated 11-6-1949, Shivoyjama occupier are eligible for assignment of lands if they are landless poor, that in case, the Government are to deny the lands to us, at least the lands improved upon by us after material amount of money and labour on reclamation and improvement be allowed to remain in possession of our dependants for such period as would enable us to recoup the huge investments made by us and our ancestors.

That in case, the Government are keen in leasing river accretions to political sufferers, there are vast stretches of river ^{accretions} beds in these 3 villages measuring about

140 acres, that there is scope for conversion of these river beds into fertile lands similar to those improved upon by us.

We submit that in case we are evicted we will be put to untold hardship and heavy loss. Besides, we submit that in response to the general appeal made by it to observe the national tree-planting years, we the encroachers put up a planted all kinds of fruit and other in all these lands, and that even fruits of our labour we are being evicted from the lands and we feel that it is gross injustice meted out to us.

That these encroachments of sandy waste which have all along been existing for the last three decades or more and found unobjectionable, are overnight being treated as unauthorised occupation of Government land, and action is taken to evict us is unthinkable.

That we feel that if the encroachments are found objectionable in our case, the leasing of these plots to the political sufferers would similarly amount to unauthorised occupation of Government lands in that the encroachment made by us are now found objectionable.

The national movement of the Vana Mahotsava festival demonstrated by one Mrs. Amy Aranha of Mangalore gave us fresh incentive for improved and scientific methods of cultivation. Under her able leadership we have planted trees of fodder, fuel and manure leaf. Further we have started an agricultural and cattle breeding farm on a co-operative basis for the purpose of increased manure and milk supplied to depots in the town. So a hadi is raised for cattle grazing and manure leaves and a tope of palmyra trees. Wells are dug and built with laterite stones with engines and pumps for irrigating the cultivable fields at a very great cost. We have borrowed large amounts and

have invested on these improvements and now that the Government have ordered the lease of such of the plots to political sufferers, all our attempts to raise a farm of landless poor are foiled. That the cost of improvement in each individual case does not fall below Rs.10,000/- and ~~maximum~~ maximum in each individual case even exceeds ~~_____~~ Lastly we humbly bring to the notice of ~~_____~~ there are similar sandy river accretions ~~_____~~ of this island and plenty other river accretions ~~_____~~ villages which are unobjectionable ~~_____~~ modified to grant the ~~xxx~~ political suffer ~~_____~~ the lease of these unobjectionable river accretions ~~_____~~ and not disturb the poor landless cultivators in aid ~~_____~~ the Government to tide over the food crisis as well as the National movement in tree planting.

We beg to remain,
Yours faithfully,

T. P. D. Souza

C. D. Souza
J. D. Souza

From:

Mrs. A. Aranha /
Bolar
Mangalore.
S. K.

Thomas A Souza

Simon D. Souza

A. Peter Paul D. Souza

Louis D. Souza

Gilbert D. Souza

Anthony D. Souza

Dr. J. J. Souza

Episcopo D. Souza

Cyril D. Souza

John A. Souza

Marian D. Souza

Rose Mary Souza

Almeida Souza

ADDITIONAL ASSISTANT
28 DEC 1951
88945A3
REVENUE C

Revenue Department
Subject

Land (South Kanara) Mangalore Taluk - Harikala, Karmur and Ambalamogaru Villages
River Accretion Lease to Political Sufferers.

Station: Madras

B.P.Mis.1589

Dated 24-12-51

From

A.F. Mascarenhas, I.A.S.,
Secretary, Board of Revenue, Madras

Attianathan, I.C.S.,
Secretary.

Read: - 16/12/51 G.O. 2-50
Govt. Memo. (Revenue) No. 27219 A/51-7 d/29-9-51
of South Kanara Ref. B5.10886/51 d/25-10-51

RESOLUTION.

In the instances reported by the Collector the Board approves
his proposal to lease lands in favour of the political sufferers.

2. The Board submits a copy of the Collector's report cited above
for favour of information.

[Signature]
for Secretary

To the Collector of South Kanara (Paras 1 & 3)
✓ To the Secretary to Government, Revenue Department, Madras (Paras 1 & 2)

Ref.B5.10886/51.

S. K. Collector's Office,
Mangalore, dated.25.X.51.

From

To

Sri. A. R. Rajaratnam, B.A.,
Collector, South Kanara,
Mangalore.

The Secretary to the Board
of Revenue, Land Revenue
Chennai, Madras.5.
(in duplicate)

Sir,

LAND: (South Kanara) - Mangalore taluk - Harekala,
Kannur and Emblamogru villages - River Accretions
Disposal by lease.

Ref: 1. Government Memo 27219-A/51-7 dated.29.9.1951.
2. Board's Mis.1225, dated.6.10.1951.
3. Board's Ref.B.9282/51-1. dated.22.10.1951.

I submit herewith a copy of the Government Memo
No.27219-A/51-5, Revenue, dated.15.7.1951 referred to
in my letter Ref.B5.10886/51, dated.5.10.1951 addressed
to the Board.

2. In their memo cited (1) above, the Government,
have cancelled their orders issued in G.O.Ms.No.3136,
Revenue, dated.7.12.1950 and have directed that the
river accretions in general should be made available
for lease to the Political sufferers for a period of
10 years or so by terminating the leases at the end
of the first year if the lands have already been leased
out and if not, not to grant the leases to the persons
now in occupation. This in effect would mean that
all cases of river accretions not leased out already
should henceforth go only to Political Sufferers on
lease for a period of 10 years wherever such persons have
applied for them.

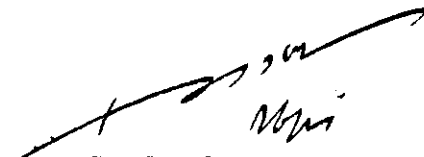
3. In Board's memo which bears a later date
cited 2nd above, my proposals which were based on
G.O.Ms.No.3136, Revenue, dated.7.12.1950 have been
approved. In that reference I had suggested that the ri
accretions concerned might be leased to the actual
encroachers including Mrs. Anny Aranha and that a
rent at Rs.25/- an acre for lands under paddy and
commercial crops and at the highest dry rate of
assessment for other lands might be fixed.

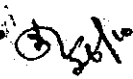
4. Since the receipt of the copy of the Govern-
ment memo cited (1) above, a number of Political
Sufferers have applied to me asking for the lease
of those lands. As the Government Memo dated.29.9.51 is
clear enough, I have forwarded a copy of it to the
Revenue Divisional Officer, Mangalore, asking him to
submit definite lease proposals in those cases in
favour of the Political sufferers. I have instructed
the Revenue Divisional Officer, that the rent for
these lands may be proposed as now approved by the
Board in its memo cited 2nd above. I have also
instructed the Revenue Divisional Officer, that
in cases where the lands are already under the
unauthorised occupation of others and brought to
'B' memo, eviction proceedings should be taken
under

p.t.o

under the provisions of the L. E. Act so that the lands concerned might be taken possession of by Government with a view to their being leased out to the Political Sufferers later. I request that my action may be approved. If deemed necessary, I request that a copy of this report may be submitted to Government for their information.

Yours faithfully,


for Collector.

v.26. x. 

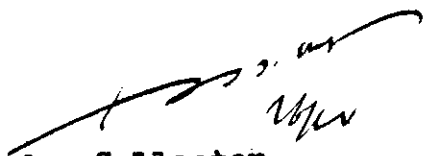
Copy of Memorandum No.27219-A/51-5, dated.15.7.51 from the Government of Madras, Revenue Department.

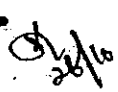
LAND: (South Kanara) - River accretions - lease of.

From the Collector of S.K., letter NO.B5.10886/51, dated.18.6.51.

The Collector of South Kanara is requested to expedite his report without any further delay.

/true copy/


for Collector.

v.26.x. 

Land - (S.Kanara) - Mangalore Taluk - Harekala, Kannur etc.
villages - River accretions - Disposal.

From the Collr. of S.Kanara Ref.B.5.10886/51 dated 25-10-51
From the Bd. of Rev., B.P.Ms.1589 dated 24-12-51.
From Mrs.Ann~~a~~ Aranha and others, petition dated nil.

The Collr. of S.Kanara is informed that G.O.Ms.No.3136, Rev., dated 7-12-50 refers specifically to river accretions in the villages of Harekala, Kannur and Ambler~~mp~~ogar of Mangalore taluk and that it was with ref. to these lands that the orders in Memo.No.27219-A/51-7, Rev., d/20-9-51 were issued. It cannot therefore be presumed that the cancellation of these leases applies to all river accretions in the Dist. As a report has already been called for in Memo.No.74664-A/51 Rev., dated 2-1-52 in respect of the accretions other than those referred to in the G.O. dated 7-12-50, the Collr. should await further instructions in the matter.

2. A copy of the petition cited is forwarded to the Collr. of S.Kanara. It has been suggested that it does not seem just or fair that the petitioners who have spent money and labour in improving the river accretions should be evicted, that they ~~may~~ be allowed to be in possession of the land at least till they are able to recoup the money and labour spent by them in improving such lands and ~~whether~~ ^{may} these lands may be leased to them for suitable periods for this purpose. The Collr. is requested to offer his remarks on this suggestion. ~~The Collr.~~ ^{He} is also requested to state whether the petitioners are rich or not.

^{also}
The Collr. is ^{also} informed that the concession of the lease of river accretions should not be granted to rich political sufferers.

To

The Collr. of S.Kanara
(with a copy of petn.)

Copy to: The Bd. of Rev. (L.R)

(with a copy of petn.)

7/3/52

9/3/52

Revenue Department.
Subject.

LAND (SOUTH KANARA) - Mangalore taluk - Harkala, Kannur Villages - River accretions - Disposal by lease - Proposals.

Station: Madras. Ref: B. 2930/52-2 dated 10-7-52

From

Sri. A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue

Sri. W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

- 3 - 1/2 Read:- i) Government Memo. No. 27219A/51-10 dt. 3-4-52.
B2 25 ii) South Kanara Collector's Ref. B5. 10886/51 dt. 30-5-52.

Reference.

Submitted to the Government.

2. The Board invites the attention of the Government to their order No. 1741 Revenue dated 17-6-52. It supports the proposal of the Collector to lease out the plots in favour of the encroachers for a period of 5 years to enable them to recoup the amount spent by them.

Revenue Department
for Secretary.

To
The Secretary to the Government,
Revenue Department, Madras with enclosure.

9/4/7

Copy of the letter No. B5. 10886/51 dated 30-5-1952 from the Collector of South Kanara to the Secretary to the Board of Revenue, Madras.

Sub:- as above.

Ref:- Government Memorandum No. 27219/A/51-10 dt. 8-4-52.

I invite Board's attention to my letter Ref. 10886/51-B5 dt. 27-7-51 submitted in reply to Government Memorandum No. 27219/A/51-1 dated 10-4-52 (B.P.Ms. 1489 dated 26-12-50) in which I had recommended that the plots encroached might be leased out to the encroachers for a period of 3 years. In Government Memorandum No. 27219/A/51-7 dated 29-9-51, I was informed that the river accretions the leases of which were ordered in G.O.Ms.No. 3136 Revenue dated 7-12-50 should be made ~~not~~ available to the political sufferer for a period of 10 years or so by terminating the existing lease if any at the end of the first year, I was also asked not to grant the leases if the plots were not granted on lease already to anyone. Enquiry held in the matter shows that the encroachers Ephraim D' Souza Victor P.S.D. Souza and Monthu D' Souza are small scale farmers and that they do not come under the category of landless poor persons. But it is reported that their financial position is not above that of an ordinary petty farmer.

2. The extent of the plots encroached upon by them are as follows:-

Encroachers	Extent
Ebrahim D' Souza	11.07 acres.
Victor P.D. Souza	4.35 acres.
Monthu Mariand' Souza	24.71 "
Amy Aranha	6.02 acres.

The last named person viz. My. Amy Aranha is however a well-to-do person having other landed property elsewhere.

Enquiry shows that the plots (occupations) are being cultivated with organised labour and much money has been spent on reclaiming them. The eviction of the encroachments at this stage will really hit the encroachers hard.

I suggest that in regard to the plots which have already been encroached upon and ~~has~~ brought under cultivation they may be permitted to be granted to the actual ~~encroachers~~ encroachers on lease for a period of five years to enable them to recoup the amount spent by them.

/true copy/

R. V. D. S.
for Secretary.

(Alcan copy of photo)

38

Rev. Sept.

(5)

C. No 27219A/51

Read again. C.O. No. 3136, Rev. d/ 7.12.50.

Read also.

From the Dt. Congress Committee Mangalore, bet. d/ 5.8.1950.

From the C.M. of S. Kanara L.D. No. 2537/51 d/ 30.1.1951.

From the Bd. of Rev., L. No. No. 6.1981/51, d/ 10.2.1951.

Gvt. Memo. No. 27219A/51-1, d/ 10.4.51.

Gvt. Memo. No. 27219A/51-7, d/ 29.9.51.

From Mrs. A. Avarela & others,

bet. d/ nil. From the Bd. of Rev., B.P.

Ms. No. 1589, d/ 24.12.1951. Gvt. Memo. No. 27219A/51-10, d/ 3.4.1952.

C.O. No. 1441, Rev., d/ 17.6.52.

From the Bd. of Rev., Refer. No. B. 2930/50.2, d/ 10.7.1952.

C.O. No. 2625. d/ 23.9.52

The Gvt. accept the recommendation of the Board of Rev. and direct that the river accretions in the villages of Harekala, Kanur and Ambalanagar, Mangalore district, S. Kanara district, which have already been encroached upon and brought under cultivation, be leased in favour of the school encroachers for a period of 5 years to enable them to recoup the amount spent by them for the improvement of the land

mentioned below in schedule only in respect of the state mentioned therein

PTD

21.2.51
no. 27219A/51
24.9/51
57

11-28
11-28-28

11-28-31

11-28-34

11-28-35

11-28-37

2. The bets are referred to
the Coll of S. Kanara for orders
on these bets

4
25/1/52
25/2/52
F
25/8/52

6
6952

6
4952

15/8

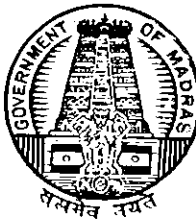
SCHEDULE

Here enter 2 on p 36 c. j. &
edited by me

To the Bd. of Gov. Coll,
.. Coll. of S. Kanara
.. President,
District Congress,
Cannara,
Mangalore, S. Kanara
Mr. A. Aranha,
d. Aras, Bolar,
Mangalore,
S. Kanara or

S/G.

25/1/52



ABSTRACT:

LAND - Lease (South Kanara) - Mangalore taluk - Harkala, Kannur xt, Ambalanagar villages - River accretions - Disposals - Orders passed.

Revenue Department.

G.O.Ms.No. 2625

Dated 23rd September, 1952.
Read the following:-

G.O.Ms.No. 3136, Revenue dated 7.12.50.
From the District Congress Committee, Mangalore, petition dated 5.8.1950.
From the Collector of South Kanara, L.Dis.No. 2537/51, dated 30.1.1951
From the Board of Revenue, L.Dis.No.b. 198/51, dated 10.2.1951.
Govt.Memo No. 27219 A/51-1, dated 10.4.51.
Govt.Memo No. 27219 A/51-7, dated 29.9.51.
From Mrs. A. Aranha and others, petition dated nil.
From the Board of Revenue, B.P.Ms.No. 1589, dated 24.12.1951.
Government Memo No. 27219 A/51-10, dated 3.4.1952.
G.O.Ms.No. 1741, Revenue dated 17.6.52.
From the Board of Revenue, Ref.No.B. 2930/50-2, dated 10.7.'52

....

ORDER

The Government accept the recommendation of the Board of Revenue and direct that the river accretion in the villages of Harkala, Kannur and Ambalanagar, Mangalore taluk, South Kanara district, which have already been encroached upon and brought under cultivation, be leased in favour of the encroachers mentioned below in the schedule only in respect of the extents mentioned therein for a period of 5 years to enable them to recoup the amount spent by them for the improvement of the land:

2. The petitioners are referred to the Collector of South Kanara for orders on their petition.

(By order of the Governor)

S.K. CHETTUR,
Secretary to Government.

To

The Board of Revenue (Land Revenue)
The Collector of South Kanara.
The President, District Congress Committee,
Mangalore, South Kanara district (para 2 only)
Mrs. A. Aranha and others, Bolar, Mangalore,
South Kanara district (para 2 only)

....

(True copy) Forwarded / By order.

Knr.23.9.

Superintendent.

SCHEDULE

Encroachers.

Extent.

Ebrahim D' Souza
Victor P.D. Souza
Monthu Marian D.'Souza
Amy Aranha

11.07 acres.
4.35 acres.
24.71 "
6.02 acres

pp. 3-4 cf. (S)

25.35 in v. 2, p. 39 (S)
 14.74 in v. 4, p. 44
40.09 so p. 5, p. 44 (S)

40.09
 4.90
44.99

p 31 cf

p 36 cf

40.13 Sarge Family
 6.02 Amy Aramha
46.15
 2 on p 36 cf

To A.S. Please see A.S. p. 2000 - 2100.
 2. A perusal of paragraphs 2-5 of the Collector's report of 26-12-49 shows that the encroachments, measuring an extent of 40.09 acres were effected by the Sarge family and that Mrs. Amy Aramha had also encroached on the land to an extent of 4.90 acres. Thus, the total extent of encroachments is 44.99 acres. From the plan of the encroachers, on p. 2631 cf. it is seen that there are 14 signatures to it and that excepting Mrs. Amy Aramha, all others seem to belong to the Sarge family. The Cdr. has however mentioned only 3 persons of Sarge family and also Mrs. Amy Aramha in his report on p. 36 cf. Presumably, the 3 persons mentioned by the Cdr. are the principal heads of the Sarge family. The total extent of encroachments was reported by the Cdr. to be 46.15 as against 44.99 acres reported in 1949. Perhaps, there have been further

encroachments since 1949. On this view, ~~the~~
Scaj's correction in the draft may be taken
as correct and the case circulates (S H. L. R.).

M.
17.9.52.

~~Q~~
17.9.52

Land - (Smt. Kanara) - Grants, political
 matters, River actions etc. 1st Form - 1
To U.S.

Rev. Dept.
 1-2

above, and one memo of 11.11.50 on p. 1.
 The requests in the petition are that
 river actions may be hand to political
 officers and that rules and by-laws for
 Land Colonisation Societies should be revised.

These requests are for consideration in
 the P.W.D. and Dev. Depts. The file
 may therefore be transferred to ~~the~~ P.W.D. ^{then} ~~who~~
~~who would~~ ^{P.W.D. will} no doubt send the file ~~for~~
~~forward~~ ^{for perusal} to this Dept. and circulate the
 case to H.H. (Z.R.) before passing final orders

I in the matter.
 14/8/50

14/8/50

16/8/50

16/8/50

Dev

Dev
 P.W.D.

Rev. U.O. 565/2 P/504
 16/8/50

C no. 84714
 6.11.50
 21.8.50

SOAS

Dev. Off

The petition from the Genl. Secy, S. Kanara
 D. Congress Committee on pp 1-2 above and the
 Rev. Dept. notes above may be perused.

This Dept. is concerned with the request
 in para 5 of the petition on p 2 above. Extracts
 of the request may be taken for further action
 and the file passed on to P.W. Dept.

Extracts taken

Dev. U.O. 84714 6.11/50-1
 28/8/50

25/8/50

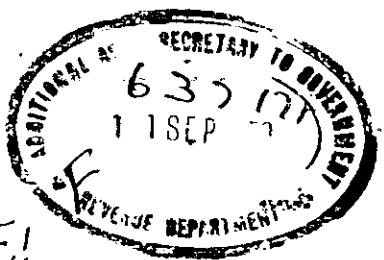
28/8/50

P.W.D. (after taking
 extracts)

P.W.D. (W)

A.S.

Please see from p. 1 ante. A
 draft Memo to the Board of Revenue is
 submitted below for approval. Rev.
 may see before issue.



File
 11/9
 P.W.D. no 3579 N/50-1
 8.9.50

6.9.50

To US

(Previous for notation p. 3 ante)

The notes of DW and P.W.D. on p. 3 above and the draft memo ^{below} ~~submitted~~ may be perused. The file may be returned to P.W.D.

19/9/50
12/9/50

CM
12/9/50

US
12.9.50

P.W.D.

Rm. No. 63717 P/601
12/9/50.

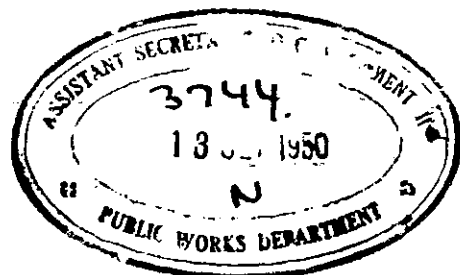
P.W.D.W.

AS:

The draft below may issue.

Sd/
16.9.50
16.9.50

AS
16.9.50



Are all river beds in the charge of the P.W.D.

N.
18.9.50

Submitted yes. Only beds of small

jungle streams vest in the Revenue Deptt. (Beds of rivers and streams lying in Zamindari, Inam & Jannam limits belong to the Zamindar, Inamdar and Jannam respectively).

18.9.50
19/10
21.9.50
13.10.50

Under section 2 of the Madras Land Encroachment Act 1905, the beds of rivers, streams, nalas.... canals and water courses... save in so far as the same are the property on any Zamindar Poligar, Muttadar.... or of a Wargdar in South Kanara.... are Crown Property. From para 2 under B.S.O.15 it would appear that all Padugais, river accretions etc. which are Crown Property as stated above vest in the Revenue Deptt. and that some of them should be treated as 'reserved land'. The note under para 2 of B.S.O.15, which refers to the leasing by the P.W.D. of land connected with irrigation works seems to indicate their being vested in the P.W.D. Para 172(i) of the Madras P.W.D. Code would show that some of the lands in charge

purposes. These administrative purposes would cover purposes of irrigation and river conservancy. Thus it seems that all river-beds are not in ^{the} charge of the P.W.D. but that only some of them viz. those vested in P.W.D. for administrative purposes are in ^{the} charge of this Department.

Under para 35(xi) under B.S.O.15, the Officers of the Rev. Deptt. have to consult the S.E. concerned in cases of leases of Padugais, river accretions etc. for periods exceeding one year. Such consultation is not presumably necessary in the case of river accretions etc. in Malabar and S.Kanara—vide note (i) under the same para. It may, however, be noted that these provisions were inserted before the present policy of providing irrigation schemes for Malabar and South Kanara was initiated. Note (j) under B.S.O. 15-35(xi) may, therefore, require revision and presumably action will be taken in this regard in connection with the revision of the Standing Orders of the Board of Revenue. Meanwhile, it seems that in individual cases that come up, the P.W.D. may also be consulted so that the proposals of assignments, leases etc. may not affect irrigation schemes contemplated by the P.W.D.

The draft has accordingly been added to, and may issue.


18.12.50

~~D.S.~~

This Deptt. is, if at all, concerned only with para 3 of the pl-2cf. Copy of this para may go to ^{the} EE. S.Kanara for report ^{through CE}. The file may then be sent back to Rev for action on other points in the letter.

1911 wanted action regarding assignt.
of land to polt. sufferers in S.K. Dt.
to be expedited. This is clearly
a matter for Rev. It is not for
this Dept to issue orders. as at
A in the draft.

Nh.
19.12.50

With reference to the above orders, a
revised draft Memo. is submitted below
for approval. After issue, necessary
extracts may be taken and this file passed
on to Revenue ^{for further action} with reference to 'x' above

② Extracts taken
8/1 (Cm 35194/5)
19/12/50.

8/1
19.12.50 7/1
19.12.50

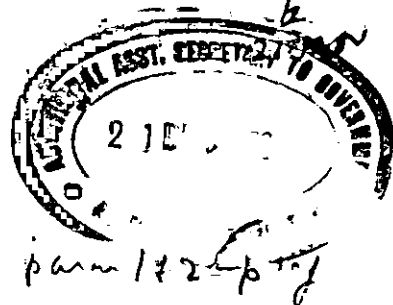
8/1
19.12.50

Rm. 8/1

③ Shree

P.W.D. No 3579 N/50-3
19.12.50

Rev 87918 F
F



pass to pp 1-4

pass 4 pp 1-4

To AS.

Please see the notes from pp 1-4 above.

2. The requests made in the petition in
the of are:-

(a) the work of assignment of land to
political sufferers in the Santa Kamara Dt.
should be expedited

(b) given a certificate should be assigned
political sufferers

(c) the assignment of Kottai Kudras in
ekala village and Adamkudras in
Teppinamogam village, Mangalore taluk

which is pending with the Bd of Rev. should be expedited, and

(d). the rules and by-laws for the formation of cooperative societies should be amended to enable the political officers to organise themselves ~~completely~~ conveniently into such societies.

3. Request (a) in para 2 on p 4 ante:- The no. of appls pending in the South Kanara db. at the end of Nov '50 was 92. It is submitted that in Co. M. no. 3181 Rev of 13/12/50, the time limit for the disposal of applications has been extended upto 30/6/51. The Govt are also receiving monthly progress reports regarding the disposal of appls and they are reviewed by the Board. It is presumed that some more applications would have been disposed of in this month. As the no. of appls pending disposal will be small it ~~does~~ appears no action is necessary on this request. For orders

no action
to
31.1.51
4.1.51

4. Request (b) in para 2 on p 4 ante:- P.W.D. have taken necessary extracts for separate action.

to para 2

5. Request (c) in para 2 on p 4-5 ante:-

There are no pending papers in office. A report may be called for from the Bd of Rev. Subject to orders a draft memo is submitted for approval.

to
31.1.51
4.1.51

6. Request (d) in para 2 on p 5 ante. The Dept. have examined this request in consultation with the R.C. and consider that ~~there is~~ no action is necessary on this request.

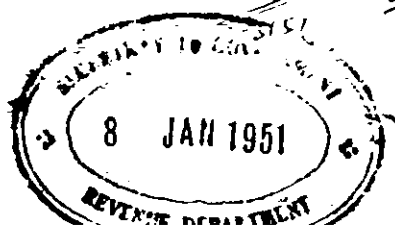
L.F. 1

This Dept. propose to agree with you.

W
4.1.51

to
30.1.51

to
27.12.50



to
4.1.51

to
J.M. (L.R.)

(9. Considered on Memo no 87918 F/50-1 of 9/5/51) p 4 of

on the Bd of Rev 2. Di L 198/51 of 10/5/51 pps 4 & 5.

Please see the notes on pp 4 & 6 above, memo on p 4 cf and the Bd's reply and its reply on pp 5 & 6 cf. The Board was asked to offer its remarks on the requests contained in para 4 of the petition on p 2 cf, but the Board has obtained the remarks of the Colly of South Kanara on all the requests in the petition and submitted the same to Govt.

2. It has already been considered in the notes on p 5 ante, that no action is necessary on the requests made in paras 1 & 2 and para 5 of the petition on pp 1-2 cf. It is seen from the Colly report also that no action is necessary in the matter.

3. Para 2 of the Colly report on p 5 cf:- As pointed out in the notes on p 5 ante, P.W.D. have already taken necessary extracts for separate action. They may be requested to take necessary extracts from the Colly letter for separate action.

4. Para 3 of the Colly report on p 5 cf:- For the reasons given in this para the Colly has stated that the river accretions (Kotari Kudru and Adondur Kudru) cannot be assigned to political officers. He has also informed the Secy, D.C.C., South Kanara that these lands are not available for assignment and that he may select land elsewhere. In the

En
20/2/51

Circumstances it does not appear
necessary to send any reply to the
Secy, Sec., South Kanara: For order

The file may be sent to P.W.D.
w.r.t. X on p 6 ante by circulation

17/2/51

EM

20/2/51

Ur

24.2.51

P.W.D.

This dept. has seen at pp 2-4 ante
Please see the Rev. Deptt note on p 6

b.t. & above. An extract of para 2 of
the Collector's report with the reference
thereof of the Bd of Rev. on p 5 cf. has been
added to the L.F. (CM 104 F/51) of the
deptt. on the subject.

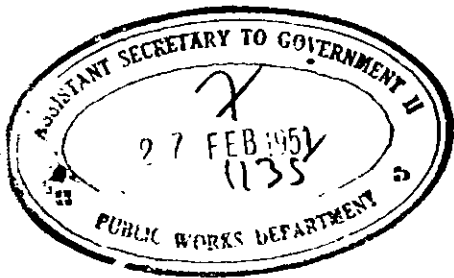
The file may be returned to the
Deptt.

5.3.51

3/3/51
BY
3357

Rev. O.O. 87918 F/50-2

26/4/51



P.W.D. 1135 F/51-1
7.3.51

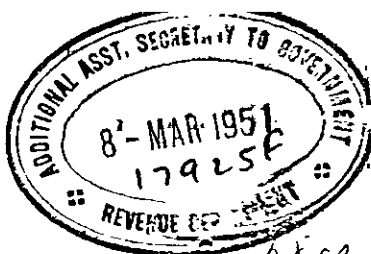
pp 7-8

From the Secy, Sec., South Kanara
letter of 3/4/51

To U.S.

Please see the notes from p 4
above and the further letter from the
Secy, Sec., S. Kanara dt. on pp 7 & cf.

He has stated that orders
regarding the leasing of river
acquisitions to political offenders have
not been received by the CM. He
has also objected to the leasing of
the lands in Kottairi Kudaw. to Mrs
Anny Annha. The circumstances
under which the lands were leased



h
8.3.51

- Mrs Arny Arantha are closely
 associated in the Padiyer ~~11A~~
~~on 11.12.50~~ of Govt No 3136 p (5)
 d. 7/12/50. Please also see the
 orders in B.O. p 8 of the Co. There
 appears to be no case to revise the
 orders now. Em 18/3/51 Ver 22/3

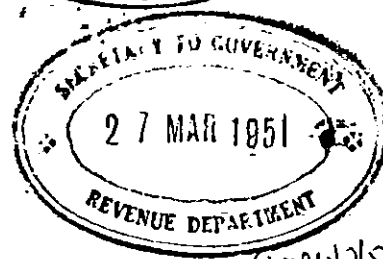
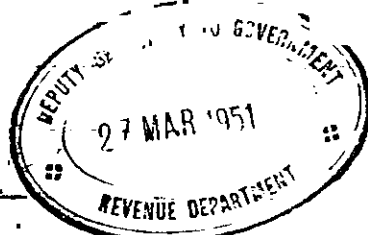
It regards the leasing of
 in connection to political
 officers P.W.D. are taking
 separate action. No action therefore
 appears necessary in the matter.
 The papers may be lodged after
 perusal by HM (LR) Em 18/3/51 Ver 22/3

3/5/51
 by 2.51
 H.S.

Em
 18/3/51

Ver 22/51

biscun
 HM (LR) 27/3



Arny 12/51

1 2519-N
 S. 1-2

I discussed with HM (LR) today. He
 desires that the lands ordered to be
 leased ^{for 3 years} to the encroachers including
 Mrs Arny Arantha for in G.O. 3136 Rev
 D. 7.12.50 should be made available
 for lease to political sufferers for a
 period of ten years or so, by termi-
 nating the leases at the end of the
 first year. It was also represented to
 H.M. that the remarks of the C.E. (D)
 about the desirability of granting
 ten year leases are awaited in
 P.W.D. file 3519-N-50. HM wanted that
 the C.E. (D)'s remarks should be obtained
 at an early date and that the advice
 of Legal Dept may be obtained as rep

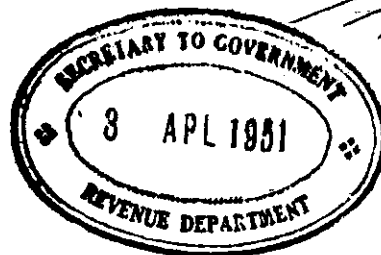
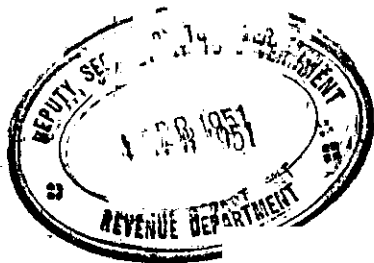
1) termination of the leases granted to the encroachers even at the end of the first year.

Submitted to HM (L.R) for confirmation about the ^{above} minutes of discussion.

U/S

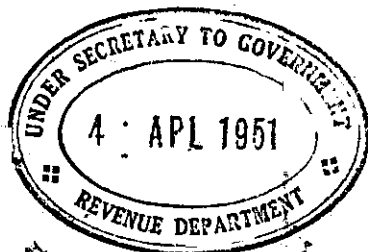
31.3.51

Civ 1/4/51

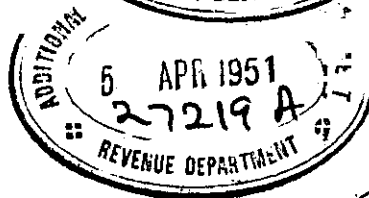


HM (L.R)

2/4/



TotHS



Please see the notes from p. 6 ante and the orders in circulation on

pp 8-9 ante

2. W.r.t. Y on p. 8. ante, it is

stated that the ~~lease~~ river accretions were leased to the encroachers including Mrs Annay Aranha subject to the usual

✓ 15 Conditions and the special conditions imposed thereon by P.W.D. In order to examine the question of termination of the lease, it appears necessary to obtain from the Colr of South Kanara a copy of the conditions

governing the grant. Subject to orders a draft memo is submitted for approval. After issue, the file may be sent to P.W.D. W.r.t. X on p 8 ante.

Forwarded to P.W.D. 4/4/51

by P.W.D. (a/c).

P.W.D. (P)

This department last saw a page 7 ante.

Further details of the Rev. Dept on 14-9 above may be perused. The C.E's final report is

the deft's file Cno 104.F/S is still awaited. He has referred that he is awaiting SE/S report. It will be submitted soon. The file may be returned to Rev.

20 APR 1951

30481

18/4/51

12/5/51

D.H.D. 20/4/51 19/4/51

To A.S.

Please see the notes on p 9 ante.

2. The reply of the Colr of S. Kanara to the memo on p 10 of may be awaited.

W
28/4/51.

2/5/51

Issued as Memo No. 27219-A/51-4 dt 10.4.51.

From the Colr of S. Kanara Ref: C. No. B. 5. 10886/51

dt 28.7.51.

To A.S.

Please see the notes from p. 9. ante and the letter with enclosure from the Colr. of S. Kanara on pp. 18-23. Cf.

2. The Colr. has forwarded a copy of the conditions which will be imposed in all cases including that of Mrs. Army Branha. According to condition No. 22, the Govt. can cancel the lease without notice in emergent cases.

The Colr. has stated that one year's advance rental will be collected from the lessees before the grant of the lease and he has addressed the Govt. thro' the Board for orders re: ^{rate of assessment} fixation of rental.

Hence it appears that no lease has actually been granted so far to any of the encroachers.

Moreover according to condition No. 22 the Colr. can cancel the lease after giving notice and the Govt. can cancel the lease without notice in emergent cases. ^{Hence} ^{the} v. t. the minutes of H.M. CLRJ

at Y on p. 8. ante, the Colr. may be informed that the river accretions shall be made available for lease to political sufferers by terminating the leases at the end of the first year! If the leases have not already been granted, the Colr. may be asked to not to grant the leases. P.T.V.

A | legal may be requested to advise whether the
 leases can be terminated at the end of the first year
 if they have ^{already} been granted, and whether the collector may be
 asked not to grant the leases, if they have not
 already been granted. P.W.D. may also see
 for remarks if any ^{w.r.t. their note on p 9 with} before circulation

27/8/51 Rm F
 17/8/51
 1

17/8/51
 15/10/51
 10/2/51
 25/8/51

Legal Department

Rev. no. no.
 27219-A/51-6
 27 8 '51.

The Collector's report at pages 18-19 c.f. shows that the river accretions have not yet been leased. The encroachers have no right to claim a lease of these accretions and it is open to the Collector not to grant any lease of these lands.

2. If the leases had already been granted on the terms specified in the lease deed at pages 20-22 c.f., it is open to the Collector (who is the assigning authority) under condition (22) of the lease deed to revoke ^(the leases) at the end of the first year after giving the prescribed notice in writing.



by no 14576/51-1
 10/9/51.

Mul 10-9-51

PWD (F)



Previous note of this dept. on p 9 ante.
 Please see the Revenue and Legal Dept. notes on pages 10 to 11 above. The file has been sent to the department with reference to A and B above. In the linked file (Pno 10470) of this department. the PE(9)'s remarks on the proposal for long term lease for 10 years of the river accretions to the Odhalal officers in S. Kanara district

are awaited Pending a decision on that proposal, there seems to be no objection to the orders being issued as proposed by Revenue at A and B on 11 ante.

2. The file may be returned to Revenue.

12/5/57
11/8/57

15/9/57
17/9/57

17.9.57

Rev -

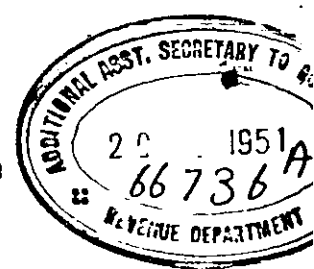
Rev. Dept.

To A.S.

PH 740792477/21
1290

Please see the notes from p. 7. ante.

2. The Collr may be informed that the river accretions, the lease of which were ordered in G.O. No. 3136 Rev & 7.12.50, should be made available for lease to the political sufferers for a period of 10 years or so by terminating the leases at the end of the first year and if the leases have not already been granted, he may be asked not to grant the leases. A draft memo is submitted for approval.



4.9.57

24/8/57

25/9/57
26.9.57

25
24/9/57



25/9
H 17 (L. 8)

HM (L. 8)

11 2/20 Cir 27/9

From Mrs. A. Arenha and others, petition dated 'nil'.
From the Board of Rev. B.P.Me.1589, dated 24-12-51.

To A.S.

Please see the note on p.12 ante, the petition on pp.26-31 c.f. and the Board's Resolution and its encl. on pp.32-34 c.f.

2. In his letter dated 25-10-51 the Collr. of S.Kanara has stated that the Govt. have cancelled their orders issued in G.O.Ms.No.3136, Revenue, dated 7-12-1950 and have directed that the river accretions in general should be made available for lease to the Political Sufferers for a period of 10 years or so by terminating the leases at the end of the first year if the lands have already been leased out and if not, not to grant the leases to the persons now in occupation. This, however, does not appear to be correct. It is subd. that the orders in memo.No.27219-A/51-7, Rev. dated 29-7-51 are applicable only to the river accretions, the leases of which were ordered in G.O.Ms.No.3136, Rev. dated 7-12-50. It does not therefore appear that the Collr. can terminate the leases of all river accretions in general at the end of the first year if the lands have already been leased out and if not, not to grant the leases to the persons now in occupation. *The position may be made clear to the G.Os.*

In his letter referred to above, the Collr. of S.Kanara has also reported:-

- (i) that in respect of the river accretions mentioned in memo.No.27219-A/51-7, Rev., dated 29-7-51 a number of political sufferers have applied for the lease of those lands and that he had asked the R.D.O., Mangalore, to submit definite lease proposals in those cases in favour of the political sufferers; and
- (ii) that he has issued instructions to institute eviction proceedings in respect of river accretions which are under unauthorised occupation so that the lands concerned might be taken possession of by Govt. with a view to their being leased to the

political sufferers. He has also requested that his action in having issued the instructions may be ratified. The Bd. of Rev. has approved the Collr's proposal to lease the lands in favour of the political sufferers.

3. As the Collector's proposal in regard to item (1) ^{in para 2} above is in accordance with the orders issued in memo.No.27219-A/51-7 Rev. dated 29-7-51 no action seems necessary in that regard.

As regards item (11) ^{in para 2} above, it is subd. that it is not the intention to institute eviction proceedings in respect of all river accretions including those under unauthorised occupation. For instance, it has been suggested that small extents of river accretions not exceeding 50 cents need not be evicted and that in the cases of lessees who have invested some amounts of money and labour in the improvement of the river accretions, the leases should be renewed for a period long enough to enable the lessees to recover their investments. The remarks of the Collr. and the Bd. of Rev. have been invited in the above suggestions. With ref. to 'M' on pp.33-34 c.f.. the Collr. may be told that pending a decision in the matter, no eviction proceedings need be taken against the encroachers.

4. The petition on pp.26-31 c.f. subd. by Mrs.Aranha and others seems to be a petition against the orders issued in memo.No.27219-A/51-7, Rev., dated 29-7-51. The main contention of the petitioners is that the accretions now ordered to be leased to the political sufferers are the results of years of toil and huge investments on the part of the ancestors of the petitioners and of the petitioners themselves and that it would be a gross injustice if they were to be evicted from those accretions. They have requested that they may be allowed to remain in possession of those accretions for such period as would enable them to recover the huge investments made by them and by their ancestors. In this connection it may be mentioned that the river accretions leased out to Mrs.Aranha and some of the petitioners were ordered to be made available to political sufferers in accordance with the orders of H.M.(L.R). In the circumstances stated it is for orders:--

whether it would be considered unnecessary to consider the orders issued in memo.No.29219-A/51-7, Revenue, dated 29-7-51 and the petition may be rejected;

or

whether in the circumstances stated in the petition and in view of the concession referred to at 'A' on p.14 ante, a report may be called for from the Collr. of S.Kanara.

P.W.D. may see before circulation.

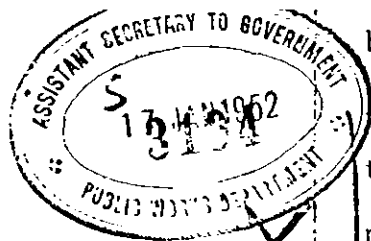
*7/12/52
8/12/52
8/12/52*

9/11/52

P.W.D. may see before circulation

G.O.No.3136, Revenue, dated 7.12.50 refers specifically to river accretions in the villages of Harekala, Kannur and Amblamogaru of Mangalore Taluk and it was with reference to these lands that Memo.No.27219A/51-7, Rev., dated 29.9.51 was issued. The Collector cannot therefore presume that the cancellation of the lease applies to all river accretions in the district. He is however right in ordering eviction proceedings in respect of river accretions in Harekala, Kannur and Amblamogaru. ~~In this connection~~ We have already called for the remarks of the Board of Revenue in respect of other ^{recent} persons and the Collector should therefore await further instructions in the matter.

2. There seems no need to consider any further the petition of Mrs. A. Aranha with regard to the river accretions in respect of which eviction proceedings have been taken by the Collector under Memo.No.27219A/51-7, Rev., dated 29.9.51. In the face of these specific orders, there can be no question of ^{any} further concession, and eviction must be carried out. P.W.D. may see for remarks.



*Rev No 27219 A/11.9
12.1.52*

P.W.D. (S)

Previous note of this department on pages 11 to 12 ante. The Revenue Dept. note on page 12 ante, the orders in circulation

Thereon abt 12 ante and the 2dts on p 13 & 15 ante may be perused. The news expressed in Rev. D.S.'s 2dt on p 15 ante may be agreed to in this department and the file returned to Revenue.

No remarks seem called for so far as this dept. is concerned

22-1-52

Q
18-1-52

H
21-1-52

S

This letter is not really concerned with the point who should get the honor. Nevertheless, I suggest with very great respect that Mr. P. B. C. deserves some consideration.

H 23/1/52.

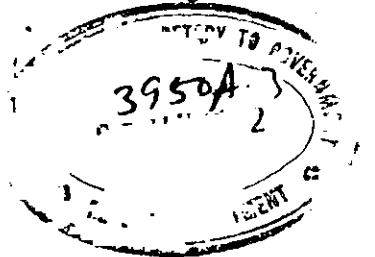
Rev.

11-11-52
31345/52
28-1-52

Rev. Sept

Gas.

Please see the notes from p 13 ante & the file may be circulated to H.P. (L.R) for orders on the D.S.'s note on p. 15. ante.



E
30/1/52

Q
29-1-52

pl. h. n. all.
D.S.
H.P. (L.R.)

To A.S.

spoken to A.S.

2. N.V. t. R. alone, attention is invited to the notes in para 4 on p. 14. ante and D.S.'s orders at 'X' on p 15 ante. It appears that no reconsideration of the orders seem called for.

3. W.r.t. 'Y' on p. 15. ante, it is noted that the petition on pp 26-31 g

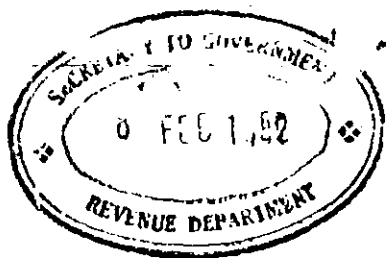
is from 1st to H. Aranka and other encroachers
of the river accretions in respect of which
eviction has been ordered in Memo of 29.5.5
It is therefore ~~likely~~ that all of them
will be affected.

4. The file may be circulated
to H.M. (L.A.) for orders on the note, 2.5.5 on
p. 15. ante.

Q1
4/2/52

5/2/52

8/5/52 H.M. (L.A.)



I would like to have the
views of H.M. (Agri) on this matter.

H.M.
7/2/52

To A.S.

The file may be circulated
to H.M. (Agri) w.r.t. the minutes of
H.M. (L.A.) alone.

Q1
8/2/52

12/2/52

8/5/52

A.S.

H.M. (Agri)

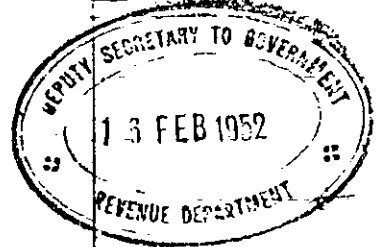
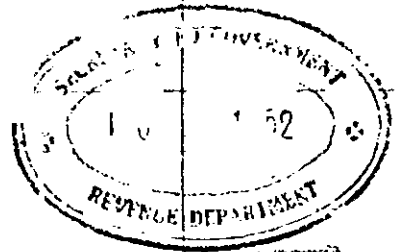
H.M. (Agri)

The giving of valuable land to political sufferers has
caused a great deal of heart burning to the neighbouring ryots.
It does not seem either just or fair that the encroachers
who have spent money and labour in improving the river accre-
tions should be evicted. They may be allowed to be in
possession of the land atleast till they are able to recoup
the money and labour spent by them in improving such lands.
The lands may be leased out to them for suitable periods for
this purpose.

2. The policy of granting land to political sufferers will
have to be reconsidered. Atleast the well-to-do people

should not be granted this concession while there are many landless people who are looking to Govt. for such concession in their favour.

msb
16/2



24. Please see the minutes of H.M. (Agri) [copy 17-18 D. House]. The file may be circulated to H.M. (L.R.) - for the perusal of the minutes of H.M. (Agri)

2
20/2/52

As per 10/0/52
13
20/2

17/2
19.2.52

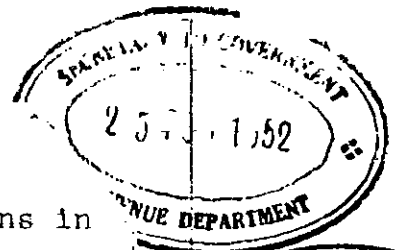
H.M. (L.R.)

I agree that people should have some concession as per the full commission. After that, about 4-5 lakhs of people are rich and it is not possible to get the information from the people in the file.

msb
13
19.2.52
H.M. (L.R.)

To A.S.

This file relates to the lease of river accretions in S. Kanara dist. in favour of political sufferers. W.r. to the request of the Dist. Congress Committee, S. Kanara, H.M. (L.R.) desired that the lands ordered to be leased for three years to the encroachers including Mrs. Anny Aranha in G.O. No. 3136, Rev. dated 7-12-50, should be made available for lease to political sufferers for a period of ten years or so by terminating the lease ^{at} the end of the first year. H.M. also wanted to obtain the Chief Engineer's remarks regarding the desirability of granting such leases of other river accretions in the dist. From the report of the Collr. it appeared that no lease has actually been granted so far to any of the



plcf g(s)

H. M. p. 8 ante

11/18-1952

encroachers referred to above. Collr. was therefore informed that the river accretions, the lease of which ~~was~~ ordered in G.O.Ms.No.3136, Rev., d/7-12-50, should be made available for lease to the political sufferers for a period of ten years or so, by terminating the lease at the end of the first year, and if the leases have not already been granted, he was asked not to grant the leases.

2. As regards the grant of river accretions, the Chief Engineer(I) reported that permanent assignment is not desirable and that they may be leased for, say, five years in the first instance and if at the end of the period, it is observed that such lease is not detrimental to river ~~xxxx~~ conservancy interests, the lease may be renewed for a further period of 5 years. The Govt. accepted the Chief Engineer's recommendation in respect of all the river accretions including those leased to Mrs. Anny Aranha and others.

3. The Collr. of S. Kanara stated that the lease of river accretions can be given provided the lands are not already in the possession of somebody, but that it will not be fair to evict any of the existing occupants. In this connection it has been considered that the orders in Memo. No. 2729-A/51-1 dated 29-9-51 apply to the cases of Mrs. Anny Aranha and other encroachers, to whom the lease of river accretions was ordered in G.O.No.3136, Rev., d/7-12-50 and that as regards other river accretions the ~~following~~ provisions mentioned at 'A' on p.16 ^{M.F. in L.F.} ~~ante~~ should be made. After obtaining orders in circulation to H.M. (L.R.) and H.C.M. the remarks of the Collr. and the Bd. have been invited in the matter, and the remarks are awaited.

4. In his letter dated 25-10-51, the Collr. of S. Kanara has stated that the Govt. have cancelled their orders issued in G.O.Ms.No.3136, Rev., d/7-12-50 and have directed that the river accretions in general should be made available for lease ^{to the} ~~for~~ political sufferers for a period of 10 years or so, by terminating the leases at the end of the first year, if the lands have already been ~~xxxx~~ leased out, and if not, ^{not} to grant the leases to persons

now in occupation. This does not appear to be correct. Since the orders in Memo.No.2729-A/51-7, Rev., dated 29-9-51 are applicable only to river accretions, the lease of which were ordered in G.O.No.3136, Rev., dated 7-12-50, the Collr. may be informed accordingly. The Collr. has also reported that he has issued instructions to institute eviction proceedings in respect of river accretions which are under unauthorised occupation. It is subd. that it is not the intention of Govt. to institute eviction proceedings in respect of ^{all} river accretions which are under unauthorised occupation. ~~It is subd. that it is not the intention of Govt. to institute eviction proceedings in respect of all river accretions.~~ The remarks of the Collr. and Bd. of Rev. have been invited on certain suggestions in the matter. The Collr. may therefore be told that pending a decision in the matter no eviction proceedings need be taken against the encroachers.

5. Mrs. Anny Aranha & others have subd. a petition against the orders issued in Memo.No.2729-A/51-7 dated 29-9-51. The main contention of the petitioner is that the accretions ordered to be leased to the political sufferers ~~are~~ the results of years of toil and huge investments on the part of the ancestors and of the petitioners themselves and that it would be a gross injustice if they have to be evicted from those accretions. They have requested that they may be allowed to remain in possession of those accretions for such period as would enable them to recoup the huge investment made by them and their ancestors. The file was circulated for orders on the ^{petition} petition. H.M. (Agri) has minuted that ~~the~~ it does not seem either just or fair that encroachers who have spent money ^{and} labour in improving the river accretions should be evicted, that they may be allowed to be in possession of the land at least till they are able to recoup the money and labour spent by them in improving such lands and that lands may be leased out to them for suitable periods for the purpose. It is submitted that the Collr's remarks have already been called for on this suggestion so far as the cases other than those of the petitioners are concerned. The Collr's remarks may be called for w.r. to the case of the present petitioners.

24
13/52
29/12
- Jan 4 in p/33-34

7/3/52
29/12

- p/24-25
- p/24-25

'S' = p/29 CF

- p/29 and
- 24

Yes. Wm
1. 29/12/52
45
concluded
also who in
27 in p/21
21/12

6. H.M. (Agri) has minuted that the policy of granting and to political sufferers will have to be reconsidered and that at least the well-to-do people should not be granted the concession while there are many landless people who are looking for such concession in their favour. It is subd. that at present assignments of land are sanctioned in favour of political sufferers irrespective of the fact whether they are poor or rich. It is presumed that H.M. desires that the assignment policy and the disposal of river accretions should be reconsidered. Relevant extracts may be given to 'F' Section for taking further action in regard to the assignment policy. As regards the lease of river accretions in the S. Kanara dist. H.M. (L.R) has agreed that rich political sufferers should not get the lease concession. It is subd. that in Memo. No. 27219-A 51-7 Rev. d/29-9-51 and in Memo. No. 74664-A/51- Rev. d/2-1-52 the Collr. of S. Kanara was informed that the lease of river accretions should be made available to the political sufferers. The Collr. may now be informed that lease of river accretions should not be granted to rich political sufferers.

7. With ref. to 'X' in the minutes of H.M. (L.R) on p. 18 it is subd. that the information whether or not petitioners are rich is not available in the file. It may therefore be filed for from the Collr.

8. Subject to orders a draft memo. is subd. for approval. - The file may be circulated to H.C.M. since the issue at 'A' above involves a change of policy.

b35-7

bb 3, 4

2

To A.S.

To A.S. Please see the typed notes from
p. 18 ante, the Memo. ~~no.~~ in p. 35 c. f. and
the Board's Refee. & encl. on pp. 36-37 c. f.
the

2. The case relates to ^{the} disposal of river accretions in Harekale, Kanner etc. villages in Mangalore Taluk, S Kanara district. In Govt. Memo. No. 27219 A/ST-7, dt 29.9.51, it was ordered that the river accretions, the lease of which was ordered in G.O. No. 3136, Rev., dt 7.12.1950, should be made available for lease to the political sufferers for a period of ten years or so, by terminating the lease at the end of the first ~~year~~ ^{first} year, and if the leases have not already been granted, the C.M. was asked not to grant the leases. The Collector's report of 28.7.51 showed that the land in question were not leased out. Mrs. A.

Aramba and others to whom the lands were leased in Gov. M. No 3136, Rev. of 7.12.1950 subd. p^{er} against the order in Govt. Mem. No 2729 A151-7, of 29.9.51. Contending that the river accretions are the results of years of toil and huge investments on the part of their ancestors and

g. the peths. themselves. and that it would be a gross injustice to evict them from these accretions. ^A ~~the suggestion has therefore been made~~ ~~has therefore been suggested~~ that it would not be just or fair to evict the encroachers who have spent money and labour in improving the river accretions, that ~~with persons~~ ^{they} might be allowed ~~the~~ possession of the lands till they were able to recoup the money and labour spent by them in improving the lands and that these lands might be leased to them for suitable periods for this purpose. The C.M. has also ^{been} requested to state whether the peths. ~~are~~ ^{are} rich or not. The reports of the C.M. and the P.D. are called for in the matter and are pp. 36-37 cf.

The C.M. has reported that ~~these~~ persons: viz. Ephraim D' Souza, Victor P.S.D. Souza, and Mantho D' Souza, having farms on a small scale do not come under the category of landless poor persons, but that their financial position is not above that of an ordinary petty farmer. Mr. A. Aranha is reported to be a well-to-do person having other

landed property elsewhere. The extent
encroached upon by these persons are
given at Z on p. 36 of. The C.M. has
reported that the plots occupied by
the encroachers are being cultivated
with organized labour and much
money has been spent on reclaiming
them and eviction of encroachers at
this stage would hit them hard.

A p 37 c'

He has therefore recommended that
the ~~encroachers~~ encroachers who have
brought to the lands under cultivation
may be granted lease for a period
of 5 years to enable them to recoup
the amount spent by them. The

- p. 36 of.

Board has supported the Chairman's
recommendation. The C.M.'s

recommendation is ^{also} in accordance with
the Circular 3 (CC) of G.O. H.M. 1741,
Rev., dt 17.6.1952. regarding disposal
of river accretions in the Sanku Kanare
District. In the circumstances, it

p 2 of (M)

is for orders whether the Board's
recommendation ~~given below is proposed~~
may be agreed to.

Moyle agreed to
69/12

Subject to order, a draft
order is subd. for approval

for
11/12/52
28/12/52

Notes from p 18 supra may

(M)

be read. The draft order is for approval
B. S. Bedhi
69.12

~~Subj. to the order of the D.S./S~~
What is to happen on the
expiry of the lease period of
five years?
9.9.52

For A.S.:

D.S.'s query above.

It was ordered at first that the river accretions already ordered to be leased out to the encroachers in G.O.Ms.No.3136, Rev., d/ 7-12-1950 should be made available to the political sufferers for a period of 10 years or so by terminating the leases at the end of the first year. If however the leases had not been granted as ordered in the G.O. mentioned above, the Collr. was asked not to lease them to the encroachers. Subsequently, the encroachers represented that they had reclaimed the land at great expense and that they would be hit hard if they were evicted. The matter was again examined. Please see the minutes of the previous H.M. (Agr.) and H.M. (L.R.) on pp.17-18 ante. In consultation with the Collr. and the Bd. of Rev., it is now proposed to grant the lands to the encroachers for a period of 5 years so that they can recoup the amount spent by them on the reclamation of the land. If during the period of this lease, it is found that the encroachers have recouped the amount, then they will have no claim on the lands further and the river accretions will be disposed of according to the orders in G.O.No 1741, Rev., d/ 17-6-1952.

The draft order already subd. below is for approval.

10. 879/8F/50

with distance & being accurate to the
general ideas noted in No. 1
1741 Rev D 17-6-1852

P. Simon - 12/8/02

Draft below may be ~~55~~/8
approved.
 amended 5 off. 11
 15/9 128.52

15/9/2

AS3 & Dr. Lee
drafts conveying
valuable property
rights should be
explicit & mention
the persons benefit
in & extent of right
conferred. 154

N. A. Munnich
N. (d.R.) 19/9

